

WEDNESDAY, MARCH 20, 1991

TWENTY-FOURTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by George K. Jones, First Methodist Church, Lewisburg, Tennessee.

Representative Pete Phillips led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present . . . . . 98

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U. (Shelby), Joyce, Kent, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

REPORT OF COMMITTEE ON CALENDAR AND RULES

March 19, 1991

MR. SPEAKER: Your Calendar and Rules Committee reports that we have met and set the following bills on the **Regular Calendar for Wednesday, March 20, 1991**: House Bill(s) No(s). 1249, 1258, 1259, 650, 660, 663, 841, 534, 299, 647, 751, 748, 1059, 1060, 804 and 1384.

We have also set the following bills on the **Regular Calendar for Thursday, March 21, 1991**: House Bill(s) No(s). 156, 235, 777 and 331.

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We further report that we have met and set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **Monday, March 25, 1991**: House Bill(s) No(s). 1250 and 12.

We further recommend that House Bill No. 717 be transferred to the Finance, Ways and Means Committee.

PHILLIPS, Chair.

The Speaker referred House Bill No. 717 to the Finance, Ways and Means Committee.

#### **REPORTS FROM STANDING COMMITTEES**

##### **COMMERCE**

**March 19, 1991**

MR. SPEAKER: Your Commerce Committee reports that we have carefully considered and recommend for passage: House Bill(s) No(s). 772, 1001 and 1394; for passage if amended: House Bill(s) No(s). 651.

RHINEHART, Chair.

Under the rules, House Bill(s) No(s). 651 with amendment, 772, 1001 and 1394 was/were transmitted to the Calendar and Rules Committee.

##### **CONSUMER AND EMPLOYEE AFFAIRS**

**March 19, 1991**

MR. SPEAKER: Your Consumer and Employee Affairs Committee reports that we have carefully considered and recommend for passage: House Bill(s) No(s). 654, 655, 693, 1053 and 1286; for passage if amended: House Bill(s) No(s). 618 and 658; for adoption: House Joint Resolution(s) No(s). 79.

We further recommend that, pursuant to **Rule No. 72**, the following be referred to Finance, Ways and Means: House Bill(s) No(s). 697.

CLARK, Chair.

Under the rules, House Bill(s) No(s). 618 with amendment, 654, 655, 658 with amendment, 693, 1053 and 1286; also, House Joint Resolution(s) No(s). 79 was/were transmitted to the Calendar and Rules Committee.

Pursuant to **Rule No. 72**, the Speaker referred House Bill(s) No(s). 697 to the Finance, Ways and Means Committee.

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**EDUCATION  
March 19, 1991**

MR. SPEAKER: Your Education Committee reports that we have carefully considered and recommend for passage: House Bill(s) No(s). 391 and 555; for passage if amended: House Bill(s) No(s). 196, 300 and 411.

We further recommend that, pursuant to **Rule No. 72**, the following be referred to Finance, Ways and Means if amended: House Bill(s) No(s). 848.

DAVIDSON, Chair.

Under the rules, House Bill(s) No(s). 196 with amendment, 300 with amendment, 391, 411 with amendment and 555 was/were transmitted to the Calendar and Rules Committee.

Pursuant to **Rule No. 72**, the Speaker referred House Bill(s) No(s). 848 with amendment to the Finance, Ways and Means Committee.

**FINANCE, WAYS AND MEANS  
March 19, 1991**

MR. SPEAKER: Your Finance, Ways and Means Committee reports that we have carefully considered and recommend for passage: House Bill(s) No(s). 903, 1079, 1214, 1264, 1265 and 1276; for passage if amended: House Bill(s) No(s). 544.

We further recommend that House Bill No. 207 be transferred to the Calendar and Rules Committee.

We further report that the following was/were considered but failed to pass: House Bill No. 873.

BRAGG, Chair.

Under the rules, House Bill(s) No(s). 544 with amendment, 903, 1079, 1214, 1264, 1265, and 1276 was/were transmitted to the Calendar and Rules Committee.

The Speaker referred House Bill No. 207 to the Calendar and Rules Committee.

**GOVERNMENT OPERATIONS  
March 19, 1991**

MR. SPEAKER: Your Government Operations Committee reports that we have carefully considered and recommend for passage: House Bill(s) No(s). 246 and 262; for passage if amended: House Bill(s) No(s). 779.

KING, Chair.

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Under the rules, House Bill(s) No(s). 246, 262 and 779 with amendment was/were transmitted to the Calendar and Rules Committee.

**STATE AND LOCAL GOVERNMENT  
March 19, 1991**

MR. SPEAKER: Your State and Local Government Committee reports that we have carefully considered and recommend for passage: House Bill(s) No(s). 341, 376, 427, 637, 1056, 1057 and 1360; for passage if amended: House Bill(s) No(s). 269, 441, 486, 523, 575, 1019 and 1244.

We further recommend that, pursuant to **Rule No. 72**, the following be referred to Finance, Ways and Means: House Bill(s) No(s). 1226; if amended: House Bill(s) No(s). 373, 383, 1082 and 1328.

We further report that the following was/were considered but failed to pass: House Bill(s) No(s). 292 and 482.

LOVE, Chair.

Under the rules, House Bill(s) No(s). 269 with amendment, 341, 376, 427, 441 with amendment, 486 with amendment, 523 with amendment, 575 with amendment, 637, 1019 with amendment, 1056, 1057, 1244 with amendment and 1360 was/were transmitted to the Calendar and Rules Committee.

Pursuant to **Rule No. 72**, the Speaker referred House Bill(s) No(s). 373 with amendment, 383 with amendment, 1082 with amendment, 1226 and 1328 with amendment to the Finance, Ways and Means Committee.

**TRANSPORTATION  
March 19, 1991**

MR. SPEAKER: Your Transportation Committee reports that we have carefully considered and recommend for passage: House Bill(s) No(s). 58; for passage if amended: House Bill(s) No(s). 31 and 480; for adoption: House Joint Resolution(s) No(s). 110.

We further recommend that, pursuant to **Rule No. 72**, the following be referred to Finance, Ways and Means: House Bill(s) No(s). 537 and 1303; if amended: House Bill(s) No(s). 11, 410 and 1192.

We further report that the following was/were considered but failed to pass: House Bill(s) No(s). 884.

ROBB ROBINSON, Chair.

Under the rules, House Bill(s) No(s). 31 with amendment, 58 and

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480 with amendment; also, House Joint Resolution(s) No(s). 110 was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 11 with amendment, 410 with amendment, 537, 1192 with amendment and 1303 to the Finance, Ways and Means Committee.

**MESSAGE FROM THE SENATE  
March 19, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 97, 113 and 124; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**\*Senate Joint Resolution No. 0097** -- Naming and Designating -- Howard Vincent Black, Sr., Bolivar National Guard Armory. by \*Wilder.

**\*Senate Joint Resolution No. 0113** -- Memorials, Government Officials -- Requests Tennessee Historical Commission to erect marker designating site of Roy Acuff homeplace. by \*McNally, McKnight.

**Senate Joint Resolution No. 0124** -- Memorials, Heroism -- Sergeant Stanley Walter Bartusiak. by \*Jordan.

**MESSAGE FROM THE SENATE  
March 19, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 311, 346, 347, 349, 543, 577, 697, 841, 923, 977, 1042, 1068, 1069, 1233 and 1539; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**\*Senate Bill No. 0311** -- Driver Licenses -- Includes work release program penalty for second offense for driving with revoked license. Amends TCA 41-2-128. by \*Cohen.

**Senate Bill No. 0346** -- Sunset Laws -- Extends termination date of agricultural hall of fame, board of governors; requires report to be delivered to general assembly. Amends Chapter 43, Public Acts of 1937, as amended. Amends TCA, Title 4, Ch. 29. by \*Hicks, McKnight.

**Senate Bill No. 0347** -- Sunset Laws -- Extends termination date of public livestock market board. Amends TCA, Title 4, Ch. 29; Title 44, Ch. 12. by \*Hicks.

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**\*Senate Bill No. 0349** -- Sunset Laws -- Extends termination date of Tennessee film, entertainment and music commission. Amends TCA, Title 4, Chs. 3, 29. by \*Hicks, McKnight.

**\*Senate Bill No. 0543** -- Contractors -- Allows general contractors to place licenses in retirement. Amends TCA, Title 62, Ch. 6. by \*Hamilton.

**\*Senate Bill No. 0577** -- Architects and Engineers -- Provides immunity from negligence actions for engineers and architects offering certain professional services in event of earthquake. Amends TCA, Title 62, Ch. 2. by \*Kyle.

**\*Senate Bill No. 0697** -- Gas, Petroleum Products, Volatile Oils -- Clarifies standards of gas pipeline safety; increases civil penalty for violation. Amends TCA 65-4-115, 65-28-106, 108. by \*Womack, \*McKnight, Hicks, Haynes.

**\*Senate Bill No. 0841** -- Boats, Boating -- Requires certain commercial boating facilities to provide facilities for disposal of raw sewage; prohibits discharge of raw sewage under certain circumstances. Amends TCA, Title 69. by \*Albright.

**\*Senate Bill No. 0923** -- Licenses -- Revises education and experience requirements for licensure of real estate appraisers. Amends TCA, Title 62. by \*Montgomery, Davis E.

**\*Senate Bill No. 0977** -- Alcoholic Beverages -- Allows certain counties and municipalities to increase certain fees. Amends TCA 57-3-501. by \*Rochele.

**Senate Bill No. 1042** -- Loan Companies -- Clarifies power of registrants under the Industrial Loan and Thrift Companies Act to make loans subject to general limitations of TCA Title 47. Amends TCA 45-5-301, 302. by \*Crutchfield.

**Senate Bill No. 1068** -- Accountants -- Increases educational requirements for granting of CPA certificate. Amends TCA 62-1-108, 111. by \*Atchley, \*Hicks.

**Senate Bill No. 1069** -- Accountants -- Establishes quality review committee to review certain professional accountancy work. Amends TCA, Title 62, Ch. 1. by \*Atchley.

**Senate Bill No. 1233** -- Correction, Dept. of -- Deletes certain certification requirement for certain correctional officers. Amends TCA, Title 41. by \*Davis E.

**Senate Bill No. 1539** -- Lafollette -- Authorizes board of trustees of community hospital to operate other health related services. Amends Chapter 161, Acts of 1897, as amended. by \*McNally.

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**MESSAGE FROM THE GOVERNOR  
March 18, 1991**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 1526, with his approval.

DAVID H. WELLES,  
Counsel to the Governor.

**ENROLLED BILLS  
March 19, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 570, 645, 898 and 1531; House Resolution(s) No(s). 14, 15 and 27; also, House Joint Resolution(s) No(s). 45, 113, 114, 116, 123, 124 and 140; and find same correctly enrolled and ready for the signature(s) of the Speaker(s).

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**SIGNED  
March 19, 1991**

The Speaker announced that he had signed the following: House Bill(s) No(s). 570, 645, 898 and 1531; House Joint Resolution(s) No(s). 45, 113, 114, 116, 123, 124 and 140; also, House Resolution(s) No(s). 14, 15 and 27.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**SIGNED  
March 19, 1991**

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 486.

**REPORT OF COMMITTEE ON CALENDAR AND RULES  
March 20, 1991**

MR. SPEAKER: Your Calendar and Rules Committee reports that we have met and set the following bills on the **Regular Calendar** for **Thursday, March 21, 1991**: House Bill(s) No(s). 670, 569, 539, 609, 1074 and 616.

We have also set the following bills on the **Regular Calendar** for **Monday, March 25, 1991**: House Bill(s) No(s). 632, 210, 479, 457, 27 and 1279.

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We further report that we have met and set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **Monday, March 25, 1991**: House Bill(s) No(s). 644 and 549.

PHILLIPS, Chair.

## **REPORTS FROM STANDING COMMITTEES**

### **HEALTH AND HUMAN RESOURCES**

**March 19, 1991**

MR. SPEAKER: Your Health and Human Resources Committee reports that we have carefully considered and recommend for passage: House Bill(s) No(s). 483, 1127, 1182 and 1256; for passage if amended: House Bill(s) No(s). 484 and 1118; for adoption: House Joint Resolution(s) No(s). 46, 118, 120 and 121.

We further recommend that, pursuant to **Rule No. 72**, the following be referred to Finance, Ways and Means: House Bill(s) No(s). 489 if amended.

We further report that House Bill No. 1490 was considered but failed to pass.

DIXON, Chair.

Under the rules, House Bill(s) No(s). 483, 484 with amendment, 1118 with amendment, 1127, 1182 and 1256; also, House Joint Resolution(s) No(s). 46, 118, 120 and 121 was/were transmitted to the Calendar and Rules Committee.

Pursuant to **Rule No. 72**, the Speaker referred House Bill(s) No(s). 489 with amendment to the Finance, Ways and Means Committee.

### **JUDICIARY**

**March 20, 1991**

MR. SPEAKER: Your Judiciary Committee reports that we have carefully considered and recommend for passage: House Bill(s) No(s). 687, 688 and 1185; for passage if amended: House Bill(s) No(s). 448, 495 and 729.

BUCK, Chair.

Under the rules, House Bill(s) No(s). 448 with amendment, 495 with amendment, 687, 688, 729 with amendment and 1185 was/were transmitted to the Calendar and Rules Committee.

## **CONSENT CALENDAR**

**House Joint Resolution No. 0147 -- Memorials, Professional and Business Achievement -- The Old Center School, 75th Anniversary.**



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**House Joint Resolution No. 0148** -- Memorials, Professional and Business Achievement -- Federal Express, 1990 Malcolm Baldrige National Quality Award.

**House Joint Resolution No. 0150** -- Memorials, Heroism -- Officer Scotty Holt.

**House Joint Resolution No. 0151** -- Memorials, Sports -- Burchfield Elementary School boys' basketball team.

**House Joint Resolution No. 0152** -- Memorials, Retirement -- Dr. Herman Postma.

**House Joint Resolution No. 0153** -- Memorials, Personal Achievement -- Tom David Pitts, Eagle Scout.

**House Joint Resolution No. 0154** -- Memorials, Heroism -- Captain Paul Johnson.

**House Bill No. 1541** -- Hollow Rock -- Continues corporate existence. Repeals Chapter 132, Private Acts of 1981.

**OBJECTION -- CONSENT CALENDAR**

Objection(s) was/were filed to the following on the Consent Calendar:

**House Joint Resolution No. 148:** by Rep. Haley.

Under the rules, House Joint Resolution No. 148 was/were placed at the foot of the calendar for Thursday, March 21, 1991.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills on the Clerk's desk be conformed and substituted for the appropriate House Bill, that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes. . . . .	99
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore,

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Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh  
-- 99.

A motion to reconsider was tabled.

**REGULAR CALENDAR**

**\*House Bill No. 0325** -- Taxes -- Enacts "Soldier's Tax Relief Act of 1991". Amends TCA, Title 67.

Further consideration of House Bill No. 325, previously considered on March 13, 1991, at which time the House adopted Amendments Nos. 2, as amended and 3, made the motion to adopt Amendment No. 1 and Amendment No. 1 to Amendment No. 1, then reset the bill to the Calendar for March 20, 1991.

Rep. Allen moved that House Bill No. 325 be passed on third and final consideration.

Rep. Love moved that the motion to adopt Amendment No. 1 to Amendment No. 1, previously filed, be withdrawn, which motion prevailed.

Rep. Love moved that the motion to adopt Amendment No. 1, previously filed, be withdrawn, which motion prevailed.

Rep. Allen moved to amend as follows:

**Amendment No. 4**

Amend House Bill No. 325 by deleting all language following the enacting clause and by substituting instead the following:

Section 1. The title of this act is and may be cited as "The Soldier's Tax Relief Act of 1991".

Section 2. Tennessee Code Annotated, Section 67-2-112, is amended by designating the present section to be subsection (a) and by adding a new subsection as follows:

(b) No tax owed under this chapter by a person in the armed forces of the United States, or called into active military service of the United States, as defined in Tennessee Code Annotated, Section 58-1-102, from a reserve or national guard unit, shall be due until ninety (90) days following the conclusion of hostilities in which such person is actually engaged outside the United States or ninety (90) days after

such person is transferred from the theater of operations of such hostilities, whichever is sooner. A person claiming this delay shall present proof, satisfactory to the commissioner, of his or her deployment and stationing outside the United States during a period of hostilities and proof of his or her return from such deployment. This subsection shall expressly apply to personnel stationed in or about Saudi Arabia during the Desert Shield or Desert Storm Operations. The estate of any such person who is killed in action in such hostilities shall owe no tax under this chapter and any liability for any such tax, penalty or interest is forgiven.

Section 3. Tennessee Code Annotated, Title 67, Chapter 5, Part 20, is amended by adding a new section, as follows:

Section 67-5-2011. No property tax owed by a person in the armed forces of the United States, or called into active military service of the United States, as defined in Tennessee Code Annotated, Section 58-1-102, from a reserve or national guard unit, shall be due until ninety (90) days following the conclusion of hostilities in which such person is actually engaged outside the United States or ninety (90) days after such person is transferred from the theater of operations of such hostilities, whichever is sooner. A person claiming this delay shall present proof, satisfactory to the official charged with collection of such taxes, of his or her deployment and stationing outside the United States during a period of hostilities and proof of his or her return from such deployment. This section shall expressly apply to personnel stationed in or about Saudi Arabia during the Desert Shield or Desert Storm Operations.

Section 4. Tennessee Code Annotated, Title 67, Chapter 4, Part 8, is amended by adding a new section as follows:

Section 67-4-822. No excise tax owed by an entity in which seventy-five percent (75%) or more of the ownership interest is held by a person who is in the armed forces of the United States, or called into active military service of the United States, as defined in Tennessee Code Annotated, Section 58-1-102, from a reserve or national guard unit shall be due until ninety (90) days following the conclusion of hostilities in which such person is actually engaged outside the United States or ninety (90) days after such person is transferred from the theater of operations of such hostilities, whichever is sooner. A person claiming this delay shall present proof,

satisfactory to the commissioner, of his or her deployment and stationing outside the United States during a period of hostilities and proof of his or her return from such deployment.

If a person holding such ownership interest is killed in action in the hostilities described above, the entity shall owe no tax, including penalty and interest, under this chapter for the tax year in which the shareholder is killed.

Section 5. Tennessee Code Annotated, Title 67, Chapter 4, Part 9, is amended by adding a new section as follows:

Section 67-4-921. No franchise tax owed by an entity in which seventy-five percent (75%) or more of the ownership interest is held by a person who is in the armed forces of the United States, or called into active military service of the United States, as defined in Tennessee Code Annotated, Section 58-1-102, from a reserve or national guard unit shall be due until ninety (90) days following the conclusion of hostilities in which such person is actually engaged outside the United States or ninety (90) days after such person is transferred from the theater of operations of such hostilities, whichever is sooner. A person claiming this delay shall present proof, satisfactory to the commissioner, of his or her deployment and stationing outside the United States during a period of hostilities and proof of his or her return from such deployment.

If a person holding such ownership interest is killed in action in the hostilities described above, the entity shall owe no tax, including penalty and interest, under this chapter for the tax year in which the shareholder is killed.

This section shall expressly apply to personnel stationed in or about Saudi Arabia during the Desert Shield or Desert Storm Operations.

Section 6. The commissioner is authorized to promulgate rules and regulations in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5, to implement the provisions of this act. After passage of this bill, the commissioner shall make reasonable effort to provide notice detailing which taxes are delayed, the time limitations proposed by this act for paying such taxes, and the type of proof that must be presented prior to the due date of the applicable tax. Notice may be made, in addition to other methods, through releases issued by the department to the media or to branches of the armed services in which such taxpayers may serve.

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Section 7. This act shall take effect upon becoming a law, the public welfare requiring it and shall be retroactive and apply to all personnel stationed in or about Saudi Arabia during the Desert Shield or Desert Storm Operations prior to the effective date of this act.

On motion, Amendment No. 4 was adopted.

Thereupon, Rep. Allen moved that **House Bill No. 325**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	99
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

**\*Senate Bill No. 0478** -- Election Laws -- Expands eligibility for absentee voting. Amends TCA 2-6-102.

Further consideration of **Senate Bill No. 478**, previously considered on March 13, 1991, at which time it was substituted for House Bill No. 995, Amendment No. 1 was withdrawn and it was reset to the calendar for March 20, 1991.

Rep. Bivens moved that **Senate Bill No. 478** be passed on third and final consideration.

Rep. Bivens moved that Amendment No. 2, be withdrawn, which motion prevailed.

Thereupon, Rep. Bivens moved that **Senate Bill No. 478** be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes. . . . .	78
Noes. . . . .	15
Present and not voting. . . . .	4

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bittle, Bivens, Bragg, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Haley, Halteman, Hargrove, Harrill, Hassell, Head, Herron, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McDaniel, McKee, Moore, Napier, Niceley, Peroulas Draper, Pinion, Pruitt, Purcell, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Shirley, Tindell, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Wix, Wood -- 78.

Representatives voting no were: Bell, Buck, Chumney, Gunnels, Hill, McAfee, Meyer, Nuber, Phillips, Rhinehart, Sipes, Stamps, Tullos, Winningham, Mr. Speaker Naifeh -- 15.

Representatives present and not voting were: Haun, Odom, Severance, Turner (Hamilton) -- 4.

A motion to reconsider was tabled.

**\*House Bill No. 0605 -- Election Laws -- Increases time in Davidson County to appoint poll officials. Amends TCA 2-4-102.**

On motion, House Bill No. 605 was made to conform with Senate Bill No. 903.

On motion, **Senate Bill No. 903**, on same subject, was substituted for House Bill No. 605.

Rep. West moved that **Senate Bill No. 903** be passed on third and final consideration.

Rep. Dixon moved to amend as follows:

**Amendment No. 1**

Amend Senate Bill No. 903 by deleting from the amendatory language of subdivision (2) of Section 1 and by substituting instead the following:

Provided, that in any county having a population in excess of seven hundred thousand (700,000) and in any county having a metropolitan form of government with a population in excess of one hundred thousand (100,000), according to the 1980 federal census or any subsequent federal census, the county election commission shall appoint the election officials

designated in this subsection not more than forty-five (45) days nor less than ten (10) days before each election.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. West moved that **Senate Bill No. 903**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	98
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

**\*House Bill No. 0036** -- Election Laws -- Authorizes use of computerized printouts at polling places instead of duplicate registration records. Amends TCA 2-5-216.

Further consideration of House Bill No. 36, previously considered on March 13, 1991, at which time it was reset to the Calendar for March 20, 1991.

On motion, House Bill No. 36 was made to conform with Senate Bill No. 84.

On motion, **Senate Bill No. 84**, on same subject, was substituted for House Bill No. 36.

Rep. Wood moved that **Senate Bill No. 84** be passed on third and final consideration.

**REMARKS**  
by Rep. Brenda Turner

I am requesting that the following remarks be spread on the

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journal relative to HB 36/SB 84. My objections to the bill are as follows.

The only reason or rationale given for the need for this legislation is in reference to the weight of the books carried to the precincts.

For several years I have had serious reservations with this type legislation. I believe certain consideration should be given prior to the use of computer lists going to the precincts without the books.

(1) A computer breakdown could void the system and remove names of registered voters. This would not be found until the people were at the polls and then they would have to stand and wait while a call was made to the election commission to find their names in the master book or registry.

This delay could cause people to leave the polls and not vote. I have in fact witnessed people leaving the polls in the past for this reason.

If the books are too heavy to be carried by the precinct workers then we could hire unemployed people for the day to carry the books.

(2) On occasion I have called the election commission to check on the residence and voting precinct of a citizen to see, also, if they live in district 29. I have been told they were not on the main terminal but when checked they were found to indeed be registered and in the book.

(3) Computer Safeguards have yet to be proven to be inclusive to all registered voters rather than exclusive to some and this can affect voter participation.

#### REGULAR CALENDAR, CONTINUED

Rep. Callicott moved to amend as follows:

##### Amendment No. 1

Amend Senate Bill No. 84 by deleting Section 1 in its entirety and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 2-5-216(c), is amended by adding the following figures to the population table:

not less than  
58,075  
287,700

nor more than  
58,175  
287,800



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On motion, Amendment No. 1 was adopted.

Rep. West moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Bivens moved to amend as follows:

**Amendment No. 3**

Amend Senate Bill No. 84 by adding the following new section immediately preceding the effective date section and by renumbering the subsequent section accordingly:

SECTION 1. Tennessee Code Annotated, Section 2-5-216(c), is amended by adding the figures "67,500" to the column labeled "not less than" and by adding the figures "67,600" to the column labeled "nor more than".

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 3 was adopted.

Rep. Bragg moved to amend as follows:

**Amendment No. 4**

Amend Senate Bill No. 84 by also adding the figures "84,000" to the column labeled "not less than" as well as adding the figures "84,100" to the column labeled "nor more than".

On motion, Amendment No. 4 was adopted.

Rep. Davidson moved to amend as follows:

**Amendment No. 5**

Amend Senate Bill No. 84 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. Tennessee Code Annotated, Section 2-5-216(c), is amended by adding the figures "37,000" to the column labeled "not less than" and by adding the figures "37,100" to the column labeled "nor more than".

On motion, Amendment No. 5 was adopted.

Thereupon, Rep. Wood moved that **Senate Bill No. 84**, as amended,

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be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	90
Noes. . . . .	1
Present and not voting. . . . .	6

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Hargrove, Harrill, Hassell, Head, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Napier, Niceley, Nuber, Odom, Peroulas, Draper, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Rigby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 90.

Representatives voting no were: Turner (Hamilton) -- 1.

Representatives present and not voting were: Cross, Halteman, Haun, Herron, Moore, Pinion -- 6.

A motion to reconsider was tabled.

**House Bill No. 0247** -- Sunset Laws -- Extends termination date of correctional enterprises board. Amends TCA, Title 4, Ch. 29; Title 41, Ch. 22.

On motion, House Bill No. 247 was made to conform with Senate Bill No. 327.

On motion, **Senate Bill No. 327**, on same subject, was substituted for House Bill No. 247.

Rep. King moved that **Senate Bill No. 327** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	99
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King,

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Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

**\*House Bill No. 0249** -- Sunset Laws -- Extends termination date of pest control compact. Amends TCA, Title 4, Ch. 29; Title 43, Ch. 6.

On motion, House Bill No. 249 was made to conform with Senate Bill No. 329.

On motion, **Senate Bill No. 329**, on same subject, was substituted for House Bill No. 249.

Rep. King moved that **Senate Bill No. 329** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	99
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

**CHAIR TO DEBERRY**

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker Pro Tempore.

REGULAR CALENDAR, CONTINUED

**\*House Joint Resolution No. 0086** -- Highway Signs -- Palma L. Robinson Memorial Highway, S.R. 354.

Rep. Allen moved that House Joint Resolution No. 86, with the request that all members voting aye be added as sponsors, be adopted, which motion prevailed by the following vote:

Ayes. . . . .	99
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullis, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

**House Bill No. 0191** -- Election Laws -- Authorizes election commission to appoint designee for supplemental voter registration at high schools, colleges and universities. Amends TCA 2-2-111, 112.

On motion, House Bill No. 191 was made to conform with Senate Bill No. 216.

On motion, **Senate Bill No. 216**, on same subject, was substituted for House Bill No. 191.

Rep. Hubbard moved that **Senate Bill No. 216** be passed on third and final consideration.

Rep. Herron moved to amend as follows:

**Amendment No. 1**

Amend Senate Bill No. 216 by designating Section 3 to be Section 4 and by adding a new Section 3, as follows:

SECTION 3. "Designees" shall not include representatives of a nationally recognized political party or representatives of an organization which actively seeks to influence the outcome of an election.

Rep. Chiles moved that Amendment No. 1 be tabled, which motion failed.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Hubbard moved that **Senate Bill No. 216**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	81
Noes. . . . .	13
Present and not voting. . . . .	2

Representatives voting aye were: Allen, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Garrett, Givens, Haley, Hargrove, Hassell, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kent, Kernell, King, Kisber, Knight, Love, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Sipes, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 81.

Representatives voting no were: Anderson, Callicott, Fowlkes, Gunnels, Halteman, Harrill, Haun, Head, Joyce, Liles, McAfee, Severance, Stamps -- 13.

Representatives present and not voting were: Bittle, Wix -- 2.

A motion to reconsider was tabled.

**\*House Bill No. 1249** -- Conservation, Department of -- Renames department as department of environment and conservation. Amends TCA 4-3-101, 104, 111, 113.

Rep. Purcell moved that House Bill No. 1249 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	99
Noes. . . . .	0

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Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

**\*House Bill No. 1258** -- State Prisoners -- Authorizes certain benefits for certain inmates released from prison. Amends TCA 41-21-219.

On motion, House Bill No. 1258 was made to conform with Senate Bill No. 1382.

On motion, **Senate Bill No. 1382**, on same subject, was substituted for House Bill No. 1258.

Rep. Purcell moved that **Senate Bill No. 1382** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	90
Noes. . . . .	5
Present and not voting. . . . .	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Gunnels, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kent, Kernell, King, Kisber, Knight, Liles, Love, McDaniel, McKee, Meyer, Moore, Niceley, Nuber, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 90.

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Representatives voting no were: Givens, Haley, Halteman, Joyce, Stamps -- 5.

Representatives present and not voting were: Curlee, Odom -- 2.

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from aye to no on Senate Bill No. 1382 and have this statement entered in the Journal.

Rep. Ray Hill

**REGULAR CALENDAR, CONTINUED**

**House Bill No. 0650** -- Public Records -- Allows photocopying and return of original federal tax lien documents to filer by county register. Amends TCA, Title 66, Ch. 21.

On motion, House Bill No. 650 was made to conform with Senate Bill No. 24.

On motion, **Senate Bill No. 24**, on same subject, was substituted for House Bill No. 650.

Rep. Clark moved that **Senate Bill No. 24** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	97
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Nuber, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullis, Turney (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

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**House Bill No. 0660** -- Motor Vehicles, Titling and Registration  
-- Requires Davidson County residents to display wheel tax decals on registration plates. Amends TCA 55-4-103.

Rep. Clark moved that House Bill No. 660 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Nuber, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**House Bill No. 0663** -- Motor Vehicles, Titling and Registration  
-- Removes requirement for examination of driving records before issuing registration certificate. Amends TCA, Title 55, Ch. 4, Pt. 1.

Rep. Clark moved that House Bill No. 663 be passed on third and final consideration.

Rep. Robinson (Davidson) moved to amend as follows:

**Amendment No. 1**

Amend House Bill No. 663 by deleting in the amendatory language of Section 1 the language "as evidence of" and by substituting instead the language "as a prerequisite to".

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Clark moved that **House Bill No. 663** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	2



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Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Herron, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Moore, Niceley, Nuber, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigbsy, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

Representatives voting no were: Hill, Meyer -- 2.

A motion to reconsider was tabled.

**CHAIR TO SPEAKER**

Mr. Speaker Naifeh resumed the Chair.

**REGULAR CALENDAR, CONTINUED**

**House Bill No. 0841** -- Taxes, Severance -- Exempts material subject to sales and use tax. Amends TCA 67-6-209, 67-7-202.

On motion, House Bill No. 841 was made to conform with Senate Bill No. 950.

On motion, **Senate Bill No. 950**, on same subject, was substituted for House Bill No. 841.

Rep. Head moved that **Senate Bill No. 950** be passed on third and final consideration.

On motion, Rep. Bragg withdrew Finance, Ways and Means Committee Amendment No. 1.

Thereupon, Rep. Head moved that **Senate Bill No. 950** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	97
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox),

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DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**House Bill No. 0534** -- Taxes, Gasoline, Petroleum Products -- Conforms petroleum products subject to environmental assurance fee to those subject to petroleum products tax; conforms collection and administration procedures to special tax on petroleum products. Amends TCA 67-3-904, 905, 68-53-110.

On motion, House Bill No. 534 was made to conform with Senate Bill No. 411.

On motion, **Senate Bill No. 411**, on same subject, was substituted for House Bill No. 534.

Rep. Head moved that **Senate Bill No. 411** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	98
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

**\*House Bill No. 0299** -- Education, Higher -- Requires certain trade secrets developed at post secondary educational institutions

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be treated as confidential. Amends TCA, Title 49, Ch. 7.

Rep. Rhinehart moved that House Bill No. 299 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

Amend House Bill 299 by deleting Section 1 in its entirety and substituting instead the following language:

Section 1. Tennessee Code Annotated, Title 49, Part 7, is amended by adding a new section, to read as follows:

(a) As used in this section, unless the context otherwise requires:

(1) "Sponsored research" means research or analysis conducted pursuant to grants or contracts between the public higher education institution and an external agency or company. It does not include research conducted under an agreement with other agencies of the state of Tennessee, unless such research is a subcontract to a contract with an external agency or company.

(2) "Proprietary information" means commercial or financial information which is used either directly or indirectly in the business of any person or company submitting information to the public higher education institution, and which gives such person or company an advantage or an opportunity to obtain an advantage over competitors who do not know or use such information; and

(3) "Trade secrets" means manufacturing processes, materials used therein, and costs associated with the manufacturing process of a person or company submitting information to the public higher education institution; and

(4) "Patentable materials" means inventions, processes, discoveries, or other subject matter which the public higher education institution or the sponsor reasonably believes to be patentable under Title 35 of the U. S. Code.

(b) Records or materials that contain proprietary information, trade secrets or patentable materials as defined above, received, generated, ascertained or discovered during the course of sponsored research

conducted within the public higher education institutions of Tennessee shall not be open for inspection by members of the public.

(c) In order to qualify as records not open for inspection by members of the public as defined in subsection (b) above, the records or material must be so designated by the Chancellor of the Tennessee Board of Regents system or the President of the University of Tennessee system based on a finding that the research could not proceed without invoking the closure provisions of this section and that it is in the best interest of the institution and the state that the research continue. Before such records become confidential pursuant to this section, the attorney general and reporter must affirmatively agree with the designation made by either such official.

(d) Nothing in this section shall prohibit voluntary disclosure of the records or materials by the owner or by the public higher education institution.

(e) The public higher education institution shall make available, upon request, the title and description of a sponsored research project and the amount and source of funding for such project.

On motion, Amendment No. 1 was adopted.

#### REMARKS

by Rep. David Coffey

I request that the following remarks be spread on the Journal:

With the agreement of the sponsors of Amendment No. 1 to House Bill No. 299, I would like to make it absolutely clear that the intent of the wording of this amendment is that individuals may not use this information for their personal profit.

#### REGULAR CALENDAR, CONTINUED

Thereupon, Rep. Rhinehart moved that **House Bill No. 299**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles,

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Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullis, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**House Bill No. 0647** -- Pensions and Retirement Benefits -- Revises various provisions of TCRS. Amends TCA, Title 8, Ch. 34, Pt. 1, 8-34-126, 145, 8-35-103, 8-35-222; Title 8, Ch. 36, Pt. 1, 8-36-107--109; Title 8, Ch. 36, Pt. 8; Title 8, Ch. 37, Pt. 1, 8-37-212, 213.

Rep. Rhinehart moved that House Bill No. 647 be passed on third and final consideration.

Rep. Love moved adoption of State and Local Government Committee Amendment No. 1 (also Council on Pensions and Insurance Amendment No. 1) as follows:

**Amendment No. 1**

Amend House Bill No. 647 by deleting Section 1 in its entirety and by substituting instead the following new section:

**SECTION 1.** Tennessee Code Annotated, Section 57-3-106, is amended by adding a new subdivision (h), as follows:

(h)(1) Notwithstanding the provisions of this section or Title 57, Chapters 2 and 3, to the contrary, the voters of any county having a metropolitan form of government and having a population of less than fifty thousand (50,000) according to the 1980 federal census or any subsequent federal census and having within its boundaries one or more distilleries authorized under Chapter 2 to manufacture alcoholic beverages for sale may, by majority vote in a local option election, authorize the metropolitan council of such county to determine by resolution whether to permit the distilleries to engage in retail sales of their products on the premises of the distilleries in bottles designed to commemorate the history or special status of the distillery or the county in which the distillery is

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located which commemorative bottles shall be sold only at the distillery and no where else.

On motion, Amendment No. 1 was adopted.

Rep. Rhinehart moved adoption of the Council on Pensions and Insurance Amendment No. 2 as follows:

**Amendment No. 2**

Amend House Bill No. 647 by adding the following new SECTION to be designated as SECTION 15 and by redesignating the subsequent SECTIONS accordingly:

SECTION 15. Tennessee Code Annotated, Section 8-36-808, is amended by deleting subsections (a) and (b) in their entireties and by substituting instead the following:

(a) Notwithstanding any provision of law to the contrary, any person becoming a member of the general assembly after November 1, 1982 and who is in office on March 10, 1991, may continue service in the general assembly without loss or suspension of his retirement allowance, provided such retirement allowance is based on service and salary rendered in a capacity other than that as general assembly member.

(b) Any retirement benefits accrued as a result of general assembly service will only be paid upon termination of services in the general assembly.

On motion, Amendment No. 2 was adopted.

Rep. Rhinehart moved adoption of Council on Pensions and Insurance Amendment No. 3 as follows:

**Amendment No. 3**

Amend House Bill No. 647 by adding the following new SECTION to be designated as SECTION 4 and by redesignating the subsequent SECTIONS accordingly:

SECTION 4. Tennessee Code Annotated, Title 8, Chapter 36, Part 1, is further amended by adding a new section as follows:

Section 8-36-1\_\_\_\_. The retirement allowance payable to any member participating in the retirement system pursuant to § 8-35-121 who retires before January 1, 1996 shall be computed as if such member

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had received the same annual cost-of-living increases and longevity payments as that received by other general state employees.

On motion, Amendment No. 3 was adopted.

Thereupon, Rep. Rhinehart moved that **House Bill No. 647**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	73
Noes. . . . .	11
Present and not voting. . . . .	9

Representatives voting aye were: Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Byrd, Chiles, Clark, Cole, Collier, Copeland, Crain, Cross, Curlee, Davis (Cocke), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Garrett, Givens, Gunnels, Haley, Halteman, Harrill, Haun, Hillis, Holt, Hubbard, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Nuber, Odom, Peroulas Draper, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Tindell, Tullis, Turner (Hamilton), Turner (Shelby), Venable, Walley, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 73.

Representatives voting no were: Callicott, Head, Herron, Hill, Jackson, Liles, McKee, Meyer, Moore, Niceley, West -- 11.

Representatives present and not voting were: Buck, Chumney, Davidson, Davis (Gibson), Fowlkes, Hassell, Holcomb, Pinion, Sipes -- 9.

A motion to reconsider was tabled.

**House Bill No. 0751 -- Election Laws --** Authorizes run-off elections in municipal elections under certain circumstances. Amends TCA 2-8-111, 6-53-104.

On motion, House Bill No. 751 was made to conform with Senate Bill No. 866.

On motion, **Senate Bill No. 866**, on same subject, was substituted for House Bill No. 751.

Rep. Duer moved that **Senate Bill No. 866** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	97
Noes. . . . .	0
Present and not voting. . . . .	1

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Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullis, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

Representatives present and not voting were: Dixon -- 1.

A motion to reconsider was tabled.

**House Bill No. 0748** -- Utilities, Utility Districts -- Authorizes residential subdivision homeowners' associations to be incorporated as separate utility district to provide sewer services. Amends TCA 7-82-201.

On motion, House Bill No. 748 was made to conform with Senate Bill No. 296.

On motion, **Senate Bill No. 296**, on same subject, was substituted for House Bill No. 748.

Rep. Duer moved that **Senate Bill No. 296** be passed on third and final consideration.

On motion, Rep. Love withdrew State and Local Government Committee Amendment No. 1.

Thereupon, Rep. Duer moved that **Senate Bill No. 296** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	97
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore,



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Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**House Bill No. 1059** -- Election Laws -- Deletes requirement for county election commission to hold absentee voting clinics for college students and spouses. Amends TCA 2-6-102.

On motion, House Bill No. 1059 was made to conform with Senate Bill No. 477.

On motion, **Senate Bill No. 477**, on same subject, was substituted for House Bill No. 1059.

Rep. Holt moved that **Senate Bill No. 477** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	97
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**House Bill No. 1060** -- Election Laws -- Requires applications for ballots to vote absentee by personal appearance to be supplied or approved by coordinator of elections. Amends TCA 2-6-109, 111.

On motion, House Bill No. 1060 was made to conform with Senate Bill No. 476.

On motion, **Senate Bill No. 476**, on same subject, was substituted for House Bill No. 1060.

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Rep. Holt moved that **Senate Bill No. 476** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	98
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

**House Bill No. 0804** -- Hospitals and Health Care Facilities -- Requires notice of date of last inspection for all health care equipment. Amends TCA, Title 68, Ch. 11.

Rep. Garrett moved that **House Bill No. 804** be reset one week to the Calendar for March 27, 1991, which motion prevailed.

**House Bill No. 1384** -- Hospitals and Health Care Facilities -- Authorizes storage of hospital records with non-erasable optical and electronic imaging technology. Amends TCA 68-11-306.

On motion, **House Bill No. 1384** was made to conform with **Senate Bill No. 355**.

On motion, **Senate Bill No. 355**, on same subject, was substituted for **House Bill No. 1384**.

Rep. Holcomb moved that **Senate Bill No. 355** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry,

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Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**\*House Bill No. 0258** -- Sunset Laws -- Extends termination date of state board for licensing contractors. Amends TCA, Title 4, Ch. 29; Title 62, Chs. 6, 32, 37.

Further consideration of House Bill No. 258, previously considered on March 13, 1991, at which time the House adopted Amendment No. 1, tabled Amendment No. 2, moved to adopt Amendment No. 3, and reset the bill to the Calendar for March 20, 1991.

On motion, House Bill No. 258 was made to conform with Senate Bill No. 332.

On motion, **Senate Bill No. 332**, on same subject, was substituted for House Bill No. 258.

On motion, Rep. King withdrew Government Operations Committee Amendment No. 3 as House Amendment No. 1.

On motion, Rep. King withdrew Government Operations Committee Amendment No. 4 as House Amendment No. 2.

Rep. Head moved to amend as follows:

**Amendment No. 3**

Amend Senate Bill No. 332 by deleting all sections following Section 2 and by substituting instead the following:

SECTION 3. This act shall take effect on July 1, 1991, the public welfare requiring it.

Rep. Gunnels moved the previous question, which motion prevailed.

On motion, Amendment No. 3 was adopted by the following vote:

Ayes. . . . .	80
Noes. . . . .	12
Present and not voting. . . . .	2

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Representatives voting aye were: Allen, Anderson, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Joyce, Kent, Kisber, Knight, Liles, McDaniel, McKee, Meyer, Moore, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tullios, Turner (Hamilton), Venable, Walley, West, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood -- 80.

Representatives voting no were: Armstrong, DeBerry, Dixon, Garrett, Jones U (Shelby), Kernell, King, McAfee, Robinson (Hamilton), Tindell, Turner (Shelby), Mr. Speaker Naifeh -- 12.

Representatives present and not voting were: Chumney, Love -- 2.

Rep. Rhinehart moved the previous question, which motion prevailed.

Thereupon, Rep. King moved that **Senate Bill No. 332**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	92
Noes. . . . .	1
Present and not voting. . . . .	3

Representatives voting aye were: Allen, Anderson, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Davidson, Davis (Cocke), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McDaniel, McKee, Meyer, Moore, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullios, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

Representatives voting no were: Armstrong -- 1.

Representatives present and not voting were: Jones R (Shelby), Jones U (Shelby), McAfee -- 3.

A motion to reconsider was tabled.

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**\*House Bill No. 1259** -- Correctional Programs -- Authorizes exception to prohibition of sale of prison made goods on open market; establishes limit for deductions of inmate wages. Amends TCA 41-6-206, 41-22-116.

On motion, House Bill No. 1259 was made to conform with Senate Bill No. 1383.

On motion, **Senate Bill No. 1383**, on same subject, was substituted for House Bill No. 1259.

Rep. Purcell moved that **Senate Bill No. 1383** be passed on third and final consideration.

On motion, Rep. Love withdrew State and Local Government Committee Amendment No. 1.

Thereupon, Rep. Purcell moved that **Senate Bill No. 1383** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	80
Noes. . . . .	15
Present and not voting. . . . .	2

Representatives voting aye were: Allen, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Halteman, Hargrove, Hassell, Head, Herron, Hillis, Holcomb, Holt, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, Moore, Niceley, Odom, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Stamps, Tindell, Turner (Hamilton), Turner (Shelby), Walley, West, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 80.

Representatives voting no were: Anderson, Bittle, Haley, Harrill, Haun, Hill, Hubbard, McAfee, McKee, Meyer, Nuber, Peroulas, Draper, Severance, Tullos, Venable -- 15.

Representatives present and not voting were: McDaniel, Sipes -- 2.

A motion to reconsider was tabled.

**MESSAGE CALENDAR**

**HOUSE ACTION ON SENATE AMENDMENTS**

**\*House Bill No. 0187** -- District Attorneys -- Requires state

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assumption of employee retirement contributions of criminal investigators. Amends TCA 8-34-206.

**Senate Amendment No. 1**

AMEND House Bill No. 187 by adding to the amendatory language in SECTION 1 the following:

Notwithstanding any other provision to the contrary, any member who was employed as a criminal investigator in the office of a district attorney general on the effective date of this act may establish retirement credit for previous service rendered in such capacity upon making a lump sum payment equal to the employee contributions he would have made had he been a member for the period claimed, plus interest at the rate provided in Section 8-37-214.

AND FURTHER AMEND by adding the following new SECTIONS to be designated as SECTIONS 2 and 3, respectively, and by redesignating the existing SECTION 2 accordingly:

SECTION 2. Tennessee Code Annotated, Section 8-34-206(c)(2), is amended by deleting immediately after the word and figures "January 1, 1982," the word "and", and by inserting after the word and figures "June 1, 1986," the following:

and criminal investigators who were employed in the office of a district attorney general and who were members of the retirement system on or before June 1, 1991.

SECTION 3. Implementation of the provisions of this act shall be subject to the funding being provided in the General Appropriations Act to the district attorneys general.

Rep. Rhinehart moved that the House concur in Senate Amendment(s) No(s). 1 to House Bill No. 187, which motion prevailed by the following vote:

Ayes. . . . .	90
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Chiles, Chumney, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Hill, Hillis, Holcomb, Holt, Hubbard, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion,

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Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 90.

A motion to reconsider was tabled.

**UNFINISHED BUSINESS**

Rep. Phillips moved to suspend **Rule No. 49** (the 48-hour rule), so that Calendar and Rules may place additional bills on the calendar for Thursday.

**NOTICE TO ACT ON SENATE MESSAGES**

Pursuant to **Rule No. 59**, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Thursday, March 21, 1991:

**House Bill No. 617:** Rep. Buck.

**RULES SUSPENDED**

Rep. Walley moved that the rules be suspended for the introduction and passage on first consideration of House Bill No. 1550, which motion prevailed.

**House Bill No. 1550** -- Bolivar -- Authorizes construction of civic center/sports complex. Amends Chapter 142, Private Acts of 1953 as amended. by \*Walley.

**MOTION TO RECONSIDER**

Rep. West moved to lift from the table the motion to reconsider House Bill No. 26, which motion was objected to by Rep. Chiles.

**\*House Bill No. 0026** -- Aircraft and Airports -- Allows increased flexibility in making certain appointments to board of commissioners of metropolitan airport authority. Amends TCA 42-4-105.

Thereupon, Rep. West moved to withdraw his motion to reconsider House Bill No. 26, which motion prevailed.

**RULES SUSPENDED**

Rep. Rigsby moved that the rules be suspended for the purpose of

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introducing House Joint Resolution No. 160 out of order, which motion prevailed.

**House Joint Resolution No. 0160 -- Memorials, Public Service -- Elizabeth Majors. by \*Rigsby.**

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Rigsby, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes. . . . .	97
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullis, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Rigsby moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 159 out of order, which motion prevailed.

**House Joint Resolution No. 0159 -- Memorials, Public Service -- Ova Lee Renegar. by \*Rigsby.**

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Rigsby, the resolution was adopted.

A motion to reconsider was tabled.



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**RULES SUSPENDED**

Rep. Joyce moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 163 out of order, which motion prevailed.

**House Joint Resolution No. 0163 --** Memorials, Professional and Business Achievement -- Dr. Jerry L. Glisson, Leawood Baptist Church. by \*Joyce.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Joyce, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Nuber, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Shelby), Venable, Walley, West, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**BILLS WITHDRAWN**

On motion of Rep. Kernell, House Bill No. 1482 was recalled from the Health and Human Resources.

On motion of Rep. Kernell, **House Bill No. 1482** was withdrawn from the House.

**SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

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**House Bill No. 16:** Rep(s). Odom as prime sponsor(s).

**House Bill No. 325:** Rep(s). Kernell and Walley as prime sponsor(s).

**House Bill No. 723:** Rep(s). Stamps and Walley as prime sponsor(s).

**House Bill No. 1005:** Rep(s). Fowlkes as prime sponsor(s).

**House Bill No. 1061:** Rep(s). Peroulas Draper as prime sponsor(s).

**House Bill No. 1185:** Rep(s). Stamps as prime sponsor(s).

**House Bill No. 1249:** Rep(s). Kernell as prime sponsor(s).

**House Joint Resolution No. 153:** Rep(s). Ridgeway as prime sponsor(s).

**SPONSORS REMOVED**

On motion, Rep. Peroulas Draper was removed as sponsor of **House Bill No. 692.**

**INTRODUCTION OF RESOLUTIONS**

On motion, the resolution(s) listed was/were introduced and referred as noted:

**House Joint Resolution No. 0155 -- Memorials, Death -- Miss Mary Ella Hall.** by \*Bragg, \*Liles, \*Buck.

Referred by the Speaker to the Calendar and Rules Committee.

**House Joint Resolution No. 0156 -- Memorials, Retirement -- Roy L. Taylor.** by \*Allen, \*Robinson Ruth.

Referred by the Speaker to the Calendar and Rules Committee.

**House Joint Resolution No. 0157 -- Highway Signs -- Joe Susong Memorial Bridge.** by \*Johnson.

Referred by the Speaker to the Transportation Committee.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

On motion, the resolutions listed were referred as noted:

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**Senate Joint Resolution No. 0124** -- Memorials, Heroism -- Sergeant Stanley Walter Bartusiak.

Referred by the Speaker to the Calendar and Rules Committee.

#### **RESOLUTIONS LYING OVER**

On motion, the resolutions(s) listed was/were referred as noted:

**\*Senate Joint Resolution No. 0097** -- Naming and Designating -- Howard Vincent Black, Sr., Bolivar National Guard Armory.

Referred by the Speaker to the State and Local Government Committee.

**\*Senate Joint Resolution No. 0113** -- Memorials, Government Officials -- Requests Tennessee Historical Commission to erect marker designating site of Roy Acuff homeplace.

Referred by the Speaker to the State and Local Government Committee.

#### **INTRODUCTION OF BILLS**

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 1543** -- Bradley County -- Repeals litigation tax. Amends Chapter 205, Private Acts of 1980, as amended. by \*Bivens, \*Harrill.

Passed first consideration.

**House Bill No. 1545** -- Bedford County -- Authorizes joint levy of hotel/motel tax in Shelbyville and Bedford County. by \*Phillips.

Passed first consideration.

**House Bill No. 1546** -- Shelbyville -- Establishes commission for tourism and industrial development for Shelbyville, Bedford County and other participating municipalities. by \*Phillips.

Passed first consideration.

**House Bill No. 1547** -- Wartrace -- Enacts hotel/motel tax. by \*Phillips.

Passed first consideration.

**House Bill No. 1548** -- Sumner County -- Repeals popular election of school superintendent. Repeals Chapter 707, Private Acts of 1923, as amended. by \*Wix, \*Stamps.

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Passed first consideration.

#### **DELAYED BILLS REFERRED**

Pursuant to **Rule No. 78**, having been prefiled for introduction, House Bill(s) No(s). 1544, was/were referred to the Delayed Bills Committee.

**House Bill No. 1544** -- Metropolitan Government -- Authorizes Nashville-Davidson County to have metropolitan hospital authority. Amends TCA, Title 7, Ch. 57. by \*Love.

#### **SENATE BILLS ON FIRST CONSIDERATION**

On motion, the following bill(s) was/were introduced and passed first consideration:

**Senate Bill No. 1539** -- Lafollette -- Authorizes board of trustees of community hospital to operate other health related services. Amends Chapter 161, Acts of 1897, as amended. by \*McNally.

Passed first consideration.

#### **SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk as noted:

**\*Senate Bill No. 0311** -- Driver Licenses -- Includes work release program penalty for second offense for driving with revoked license. Amends TCA 41-2-128. (HB 0386).

Held pending third consideration of companion House Bill.

**Senate Bill No. 0346** -- Sunset Laws -- Extends termination date of agricultural hall of fame, board of governors; requires report to be delivered to general assembly. Amends Chapter 43, Public Acts of 1937, as amended. Amends TCA, Title 4, Ch. 29. (\*HB 0262).

Held pending third consideration of companion House Bill.

**\*Senate Bill No. 0347** -- Sunset Laws -- Extends termination date of public livestock market board. Amends TCA, Title 4, Ch. 29; Title 44, Ch. 12. (HB 0331).

Held pending third consideration of companion House Bill.

**\*Senate Bill No. 0349** -- Sunset Laws -- Extends termination date of Tennessee film, entertainment and music commission. Amends TCA, Title 4, Chs. 3, 29. (HB 0329).

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Held pending third consideration of companion House Bill.

**\*Senate Bill No. 0543 -- Contractors --** Allows general contractors to place licenses in retirement. Amends TCA, Title 62, Ch. 6. (HB 0840).

Held pending third consideration of companion House Bill.

**\*Senate Bill No. 0577 -- Architects and Engineers --** Provides immunity from negligence actions for engineers and architects offering certain professional services in event of earthquake. Amends TCA, Title 62, Ch. 2. (HB 0822).

Held pending third consideration of companion House Bill.

**\*Senate Bill No. 0697 -- Gas, Petroleum Products, Volatile Oils --** Clarifies standards of gas pipeline safety; increases civil penalty for violation. Amends TCA 65-4-115, 65-28-106, 108. (HB 1269).

Held pending third consideration of companion House Bill.

**\*Senate Bill No. 0841 -- Boats, Boating --** Requires certain commercial boating facilities to provide facilities for disposal of raw sewage; prohibits discharge of raw sewage under certain circumstances. Amends TCA, Title 69. (HB 1237).

Held pending third consideration of companion House Bill.

**\*Senate Bill No. 0923 -- Licenses --** Revises education and experience requirements for licensure of real estate appraisers. Amends TCA, Title 62. (HB 0908).

Held pending third consideration of companion House Bill.

**\*Senate Bill No. 0977 -- Alcoholic Beverages --** Allows certain counties and municipalities to increase certain fees. Amends TCA 57-3-501. (HB 0878).

Held pending third consideration of companion House Bill.

**Senate Bill No. 1042 -- Loan Companies --** Clarifies power of registrants under the Industrial Loan and Thrift Companies Act to make loans subject to general limitations of TCA Title 47. Amends TCA 45-5-301, 302. (\*HB 0569).

Held pending third consideration of companion House Bill.

**Senate Bill No. 1068 -- Accountants --** Increases educational requirements for granting of CPA certificate. Amends TCA 62-1-108, 111. (\*HB 0579).

Held pending third consideration of companion House Bill.

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**Senate Bill No. 1069** -- Accountants -- Establishes quality review committee to review certain professional accountancy work. Amends TCA, Title 62, Ch. 1. (\*HB 0581).

Held pending third consideration of companion House Bill.

**Senate Bill No. 1233** -- Correction, Dept. of -- Deletes certain certification requirement for certain correctional officers. Amends TCA, Title 41. (\*HB 0347).

Held pending third consideration of companion House Bill.

**HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred to committee or held on the Clerk's desk as noted:

**House Bill No. 1512** -- Hospitals and Health Care Facilities -- Passed second consideration and referred to Health and Human Resources Committee.

**REPORT OF COMMITTEE ON CALENDAR AND RULES  
CONSENT CALENDAR  
March 20, 1991**

MR. SPEAKER: The officers of your Calendar and Rules Committee report that we have set the following bill(s) and/or resolution(s) on the **Consent Calendar for Thursday, March 21, 1991**: House Joint Resolution(s) No(s). 155 and 156; also, Senate Joint Resolution(s) No(s). 124.

PHILLIPS, Chair.

**ENGROSSED BILLS  
March 20, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 147, 150, 151, 152, 153 and 154; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**ENGROSSED BILLS  
March 20, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 660, 1249 and

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1541; also, House Joint Resolution(s) No(s). 86; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**ENGROSSED BILLS**

**March 20, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 299, 325, 647 and 663; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**ENGROSSED BILLS**

**March 20, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 159, 160 and 163; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**March 20, 1991**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 738; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**March 20, 1991**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 159, 160 and 163; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

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**MESSAGE FROM THE SENATE  
March 20, 1991**

**MR. SPEAKER:** I am directed to return to the House, House Bill(s) No(s). 660, 730, 1044, 1104, 1257, 1322, 1516 and 1541; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.**

**MESSAGE FROM THE SENATE  
March 20, 1991**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 150; adopted for concurrence.

**CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.**

**Senate Joint Resolution No. 0150 -- Memorials, Personal Achievement -- Shane Brady. by \*Person.**

**MESSAGE FROM THE SENATE  
March 20, 1991**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bill(s) No(s). 28, 535, 544, 1034, 1162, 1248, 1305, 1312, 1349 and 1386; passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.**

**\*Senate Bill No. 0028 -- Fees -- Allows county trustee to collect negotiated fee for collection of municipal taxes pursuant to functional consolidation agreement. Amends TCA 8-11-110. by \*Dunavant.**

**\*Senate Bill No. 0535 -- Motor Vehicles -- Increases issuance fee for title under certain conditions; permits refusal to issue title under certain circumstances. Amends TCA, Title 55, Ch. 3. by \*Dunavant.**

**\*Senate Bill No. 0544 -- Contractors -- Includes construction manager within definition of "general contractor" for licensing purposes. Amends TCA, Title 62, Ch. 6. by Hamilton.**

**Senate Bill No. 1034 -- Election Laws -- Deletes specific maximum size limitations for precincts in certain counties. Amends TCA 2-3-103. by \*Davis E, Kyle.**



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**\*Senate Bill No. 1162** -- Purchasing -- Revises conflict of interest law in Anderson County. Amends TCA 12-4-101. by \*McNally.

**\*Senate Bill No. 1248** -- Real Estate Agents and Brokers -- Deletes requirement that real estate firms have errors and omissions insurance; earmarks funds received by commission. Amends TCA 62-13-112, 62-13-308. by \*Koella.

**\*Senate Bill No. 1305** -- State Employees -- Requires all state offices have bulletin board accessible by employees. Amends TCA 8-50-1001. by \*O'Brien.

**Senate Bill No. 1312** -- Hazardous Materials -- Defines "owner or operator" for hazardous substance sites as excluding state or local governments or state or local entities that acquire title in its function as a sovereign. Amends TCA 68-46-202. by \*Montgomery.

**\*Senate Bill No. 1349** -- Racing -- Restricts motor vehicle racing in certain counties. Amends TCA, Title 55, Ch. 22. by \*Koella.

**Senate Bill No. 1386** -- Safety -- Increases fines for violation of certain occupational safety and health regulations. Amends TCA 50-3-403--406. by \*Darnell, \*McKnight.

**ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 99

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 99.

On motion of Rep. Purcell, the House recessed until 9:00 a.m., Thursday, March 21, 1991.